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COMMITTEE ON PETITIONS

(ELEVENTH LOK SABHA)

FIFTH REPORT



Presented to Lok Sabha on 2 December, 1997

LOK SABHA SECRETARIAT
NEW DELHI

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COMPOSITION OF THE COMMITTEE ON PETITIONS (1996-97)

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Shri Ram Autar Ram — *Director*
Smt. Veena Sharma — *Assistant Director*

* Nominated w.e.f. 7 April, 1997 vice Shri B.L. Sharma 'Prem' resigned from Lok Sabha on 6.3.1997.

** Nominated w.e.f. 7 November, 1996 *vide* Para No. 555 of Bulletin Part-II dated 7 November, 1996.

FIFTH REPORT OF THE COMMITTEE ON PETITIONS (ELEVENTH LOK SABHA)

INTRODUCTION

I, the Chairman of the Committee on Petitions, having been authorised by the Committee to present the Report on their behalf, present this Fifth Report of the Committee to the House on the following matters:

- (i) Petition regarding exploitation of workers working under the private contractor for providing catering service at Katni Railway Station.
- (ii) Petition regarding downgrading of pay scales of Engineering employees of AIR and Doordarshan, as a result of recommendations of Fifth Pay Commission.
- (iii) Representation for payment of revised pay and arrears to all Anganwadi workers as per orders of Department of Women and Child Development.
- (iv) Action taken by the Government on the recommendations of the Committee on Petitions contained in their Sixth and Fifteenth Reports (Tenth Lok Sabha) on the Petition (No. 13) regarding resettlement of migrants in Delhi who migrated from the erstwhile East Pakistan during 1.1.1964 to 25.3.1971.
- (v) Action taken by the Government on the recommendations of the Committee on Petitions contained in their Twenty Sixth Report (Tenth Lok Sabha) on the representation regarding acute problem of sewerage in Mayur Vihar II (Pkt. A), Delhi due to dispute between DDA and MCD.

2. The Committee considered the draft Report at their sitting held on 3 November, 1997 and adopted it.

3. The observations/recommendations of the Committee on the above matters have been included in this Report.

NEW DELHI;
3 November, 1997

12 Kartika, 1919 (Saka)

DILEEP SANGHANI,
Chairman,
Committee on Petitions.

Report

I

PETITION (NO. 2) REGARDING EXPLOITATION OF WORKERS WORKING UNDER THE PRIVATE CONTRACTORS FOR PROVIDING CATERING SERVICE AT KATNI RAILWAY STATION

1.1 Shri Sharad Yadav, M.P. presented to Lok Sabha on 6 September, 1996 a Petition No. 2 (*See Appendix-I*) signed by Shri Debidin Gupta and others of Kharhani Railway Station Crossing, Mast Ram Akhara, Katni regarding exploitation of workers working under the private Contractor for providing catering service at Katni Railway Station.

1.2 In the petition, the petitioners have stated that they are working under the private contractors of Stall No. 1 (with 41 workers) and 2 (with 36 workers) at Katni Railway Station for providing Catering Service at Katni Railway Station which comes under the Jabalpur Railway Division. They have alleged that their contractors have not kept any record of more than half of their workers and they are not being paid even minimum wages and provided with other facilities like medical, accommodation etc. Moreover, the Contractors illegally extort commission from them amounting to Rs. 60 to Rs. 300 for engaging them like a sub-contractor. On the plea of sanctioned strength, sanctioned by the Railway administration which is 20 to 15 for Stall Nos. 1 and 2 respectively, the contractors deploy them sometimes and sometimes not.

1.3 The petitioners have prayed that instead of giving catering contract to private contractors, it should be given to their registered Sahkari Samiti so that workers exploitation by the private contractors could be eliminated.

1.4 The Petition was referred to the Ministry of Railways on 9 September, 1996 for furnishing their comments on the points raised therein. The Ministry *vide* their communication dated 10 January, 1997 have furnished their comments which *inter alia* stated:—

“The Central Railway has reported that the Railway Administration is not a party to the dispute between the catering contractor and his staff. It is a labour matter and further details may please be obtained from the Department of Labour.

It has been further advised by Central Railway that the Railway Administration have terminated the catering contract at Katni on account of non-performance and default in providing services by the contractor. The catering contractors whose contracts were terminated have gone to the court and matter is subjudice. The

Railway has also initiated action for advertising for a fresh contract and inviting applications from eligible persons as per prescribed procedure. All the eligible applicants including the Samiti will be considered on merits by the Railway Administration as per extant norms.”

1.5 However, as the above reply of the Ministry of Railways was perfunctory and it being the responsibility of the Ministry of Railways to look into such allegations in the interest of proper catering service to the passengers apart from the obligations as the Principal employer towards the Contractor’s labour under the Contract Labour (Regulation & Abolition) Act, 1970 and rules made thereunder, the Ministry of Railways were requested to furnish detailed comments on certain points framed in this regard.

1.6 Accordingly, the comments of Ministry of Labour were also called for on 21 January, 1997.

1.7 The Ministry of Labour *vide* their communication dated 8 April, 1997 have furnished the following comments:—

“The Ministry has enquired into the points raised in the matter through implementing the enforcing agency of CL (R&A) Act, 1970, CLC(C), New Delhi and RLC(C) Jabalpur. It has been found that both the contractors i.e. M/s K.L. Sahni, Stall No. 1 and M/s. S.K. Sahni, Stall No. 2 were authorised by Railway Administration to employ 15 and 20 workmen respectively but due to heavy work load and necessity to allow weekly rest and other leave, both the contractors have employed some more workers over and above the authorised number. These workers were paid wages on the basis of piece rate (on the basis of items sold by them) or on commission or services were utilised as sub-contractor. On enquiry by RLC(C) Jabalpur with Railway Administration about the increase in work load from the time the authorised strength and the strength of 15 and 20 workmen and above was fixed to the present time, the Railway Administration have informed that number of authorised workers is not fixed on the basis of workload but on the basis of units allotted to a contractors in terms of Railways Board letter No. 8976111/6009 dated 24.4.89. The Question whether contract system should be discontinued or whether contract should be assigned to some other agencies & such other issues have to be decided by the Railway Administration/Ministry of Railways. Moreover, the question whether the job of vender is to be allotted to co-operative of workers is also to be decided by the Railway Authorities.

Incidentally, it may be brought to notice that the agreement between the Railways and the licensee lays down the conditions of licence. This does not therefore, attract the provisions of Contract Labour (Regulation & Abolition) Act, 1970. Since the licensee is the independent employer operating under a licence, the State

Government is the appropriate Government in respect of establishment of licensee under the ID Act 1947 and CL(R&A) Act, 1970.

1.8 The Ministry of Railways have furnished their point-wise comments as under:—

Points on which comments of the Ministry were asked	Point-wise reply of the Ministry
(1) What is the basis of sanctioning the number of workers for catering stalls by the Railways for providing catering service?	The number of vendors to be permitted depend upon the unit value. If the value of catering licence is 1/2 unit, generally upto 5 vendors are permitted. If it is one unit upto 10 vendors are permitted and if the unit value is more than one unit, number of vendors are permitted in the same proportion.
(2) Who is the appointing authority for Catering Contraction?	Divisional Railway Manager/Add. Divisional Railway Manager are the appointing authority of catering licensee except for large units where it is the Chief Commercial Manager/Chief Catering Services Manager.
(3) What are the conditions of eligibility for being a Catering Contractor?	<p>The applicants for catering licence should be professional/reputed caterers. Following factors are considered while selecting catering licencees:</p> <ul style="list-style-type: none"> <li data-bbox="734 1444 1270 1512">(i) Reputation/Business standing of the applicants. <li data-bbox="734 1512 1270 1579">(ii) Turnover of the applicant's business, if any. <li data-bbox="734 1579 1270 1646">(iii) Catering experience of the applicant. <li data-bbox="734 1646 1270 1713">(iv) Financial standing of the applicant. <li data-bbox="734 1713 1270 1780">(v) Size of the establishment and staff required for the unit. <li data-bbox="734 1780 1270 1848">(vi) Location of the unit/units; and <li data-bbox="734 1848 1270 2004">(vii) Any other factor considered relevant by the Screening Committee.

Points on which comments of the Ministry were asked	Point-wise reply of the Ministry
(4) What is the prescribed procedure for appointing the Catering Contractor?	Applications for appointing catering licensee are invited through Press Notification from reputed and professional caterers only. The applications received are scrutinised and applicants shortlisted by a Screening Committee consisting of 3 officers of not less than JA grade in case of large/important units and not less than Senior Scale officers in case of other units. The final selection of the shortlisted candidate is done by a Selection Committee consisting of 3 SAG officers from Commercial, Accounts and Stores department in case of large/important units and 3 JA Grade officers in case of other than large important units keeping in view the conditions mentioned in item No. 3.
(5) Whether any record is maintained by the Contractor of the workers deployed by him?	Yes, catering licencees are maintaining attendance and medical register of the workers employed by him.
(6) What is the minimum wage of the workers for Catering Service and whether they are provided any medical facility by the Contractors or any other facility like accommodation etc.	Catering licencees are required to follow the provision of Payment of Wages Act and other labour laws in force.
(7) Whether the services of workers are liable to be terminated without proper legal action. If so, please state the reasons therefore?	The licensee is governed by labour laws as applicable for terminating the services of employees.

Points on which comments of the Ministry were asked	Point-wise reply of the Ministry
(8) It is not obligatory on the Part of the Railways as a Principal employer to provide proper catering service to the Passengers?	Providing passenger amenities including satisfactory catering services is the responsibility of the Railways Administration. In regard to the staff employed by the licensee, the licensee is the sole employer of the staff engaged by him. The relationship between the Railways and licensee is that of a licensor and licensee.
(9) if so, what action is taken by Railways to ensure proper catering service by the contractors to the passengers?	The catering services to passengers are largely provided by licensees. The performance of the licensees is watched and renewal of licence is done only if the performance is satisfactory.
(10) It appears from the petition that the Contractors in question at the Katni Railway Station have been engaged repeatedly for the last 50 years?	As per the extant guidelines of Railway Board, if the performance of the licensee is found satisfactory by a Committee of 3 officers during the last agreemental period, his licence is renewed for
Why were the contracts given to the same contractors repeatedly?	
(11) Whether at the time of renewal of contracts, advertisements are given for inviting applications from eligible persons for fresh contracts?	further period. In this way, the licensee may continue for longer period subject to his performance being satisfactory. In case of renewal of catering contracts on the basis of past performance, advertisements are not given.
(12) Whether such advertisements were given in the last 50 years. If so, the number of times and the dates may be intimated; and	In view of the position explained under item Nos. 10 & 11, the questions of giving advertisements for inviting fresh applications did not arise.
(13) What are the merits for consideration for giving fresh contracts/renewal of old contracts.	<p>A. Merit for giving fresh licence The following factors are taken into account while giving fresh licence for catering services:—</p> <ul style="list-style-type: none"> (i) Reputation/Business standing of the applicants. (ii) Turnover of the applicant's business, if any.

Points on which comments of the Ministry were asked

Point-wise reply of the Ministry

- (iii) Catering experience of the applicant.
- (iv) Financial standing of the applicant.
- (v) Size of the establishment and staff required for the unit.
- (vi) Location of the unit/units; and
- (vii) Any other factor considered relevant by the Screening Committee.

B. Merit for renewal of old Licence

If the performance of the old licence is found satisfactory by a Committee of 3 officers, the licence is renewed for further period.

Observations/Recommendations of the Committee

1.9 The Committee note from the reply of the Ministry of Labour and Ministry of Railways that the Railway Administration has terminated the catering contract at Katni Railway station on account of non-performance and default in providing services by the contractor. The Committee also note that the Railways have laid down certain details of procedure regarding basis of sanctioning the number of workers for catering stalls by conditions of the workers serving under the contractors, renewal of catering contract etc.

1.10 The Committee note from the reply furnished by the Ministry of Railways that they initiated action for advertising for a fresh contract and inviting applications from eligible persons as per prescribed procedure. They have informed the Committee that all the eligible applicants including the Samiti will be considered on merits by Railway Administration as per extant norms.

The Committee are not satisfied with the reply of the Ministry as the main demand of the Petitioners for giving catering contract to their registered Sahkari Samiti has not been accepted by the Ministry. The Committee feel that the catering contract should invariably be given to the registered Sahkari Samities so that chances of their exploitation by the Private Contractors are eliminated completely.

II

PETITION REGARDING DOWNGRADING OF PAY SCALES OF ENGINEERING EMPLOYEES OF AIR AND DOORDARSHAN, AS A RESULT OF RECOMMENDATIONS OF FIFTH PAY COMMISSION

2.1 Shri K.P. Singh Deo, MP presented to the Lok Sabha on 16 May, 1997 a petition (No. 5) (*See Appendix-II*) signed by Shri P.N. Kohli, President, Association of Radio and Television Engineering Employees, Post Box No. 422, New Delhi and others regarding downgrading of pay scales of Engineering Employees of AIR and Doordarshan, as a result of recommendations of the Fifth Pay Commission.

2.2 In the petition, the petitioners stated *inter alia* as follows:

- (i) The pay scale of Engineering Assistant of AIR/Doordarshan in the Ministry of Information and Broadcasting was upgraded from Rs. 1400-2600 to Rs. 2000-3200 w.e.f. 1.1.86 by judicial order of CAT, Madras Bench and Supreme Court of India.
- (ii) The pay scale of Sr. Engineering Assistant (Rs. 1640-2900) and Assistant Engineer (Rs. 2000-3500), being promotional posts for Engineering Assistant, was agreed to be revised to Rs. 2375-3500 and Rs. 2375-3750 respectively in view of revision of pay scale of feeder cadre of Engineering Assistant and a proposal in this regard is lying in the Ministry of Finance for decision. A direction from CAT, Bangalore Bench has also come to decide for higher pay scales for the cadres of Sr. Engg. Assistant and Assistant Engineer.
- (iii) The pay scale of Engineering Assistant has now been downgraded from existing Rs. 2000-3200 to Rs. 1600-2600 by the Fifth Central Pay Commission (V-CPC). It has also recommended for continuance of existing pay scales for Sr. Engineering Assistant (Rs. 1640-2900) and Assistant Engineer (Rs. 2000-3500).
- (iv) The Pay Commission has recommended that the pay (instead of pay scale) of existing Engineering Assistants drawing pay in the scale of Rs. 2000-3200 shall be protected and be personal to them. This implied that the pay of existing Engineering Assistants in the scale of Rs. 2000-3200 shall be fixed in the replacement scale Rs. 5000-8000 of 1600-2600 instead of

corresponding replacement scale 6500-10500 of Rs. 2000-3200. The ruling is going to result into a large number of stagnation in Engineering Assistant/Sr. Engineering Assistant, cadres right from the date of implementation of V-CPC report.

2.3 The petitioners prayed that:—

- (1) Engineer Assistant should be given, at least, corresponding replacement scale of Rs. 6500-10500 of the existing scale of Rs. 2000-3200 prospectively.
- (2) Sr. Engineering Assistant and Assistant Engineer, being promotional posts for Engineering Assistants, be given higher pay scale above the scale of Rs. 6500-10500.
- (3) The pay scale instead of pay of existing Engineering Assistant should be protected as recommended by the V-CPC in other cases of downgradation of pay scales in various Ministries. In such cases, the Pay Commission has very emphatically recommended that the pay scale of existing incumbents shall be protected and they will be allowed to retain corresponding replacement scale of the existing scale. And, the new scale of downgradation shall be applicable to future appointees only.

2.4 The Petition was referred to the Ministry of Finance (Department of Expenditure) for furnishing their comments on the various points raised in the petition. The Ministry *vide* their communication dated 16 June, 1997 have furnished their comments.

2.5 Giving the brief background of the earlier pay scale of Engineering Assistants in AIR/Doordarshan as revised by Fourth Pay Commission, the Ministry have stated as follows:—

“The pay scale of Engineering Assistants in AIR/Doordarshan, who were in the scale of Rs. 1400-2600 was revised at Rs. 2000-3200 w.e.f. 1.1.1986. This revision was done to comply with the judgement of the CAT, Madras Bench which was subsequently upheld by the Supreme Court.

S. No.	Post	Scale (Rs.)
1.	Assistant Engineer	2000-3500
2.	Sr. Engineering Assistant	1640-2900
3.	Engineering Assistant	1400-2600

On the basis of the Judgement of the CAT, Madras Bench, which was subsequently upheld by the Supreme Court the pay scale of Engineering Assistants was revised to Rs. 550-900 (pre-revised) w.e.f 1.1.78 and to Rs. 2000-3200 w.e.f. 1.1.86. This judgement was given on the basis of pay scales granted to Sound Recordist in Doordarshan

on the basis of some earlier CAT judgement. With the revision of the pay scale of Engineering Assistants with retrospective effect it is alleged that an anomaly has been created in as-much-as the pay scale of Senior Engineering Assistants which are promotional post for Engineering Assistants continued to carry the pay scale of Rs. 1640-2900. The employees are aggrieved not only with this anomaly but also with the non-revision in the pay scales of the other higher posts. Accordingly, demand was made for upgrading the pay scales of the promotional posts viz. Senior Engineering Assistants, Assistant Engineers and Assistant Station Engineers also.”

2.6 The Ministry have further stated that:

“This proposal for the revision of the pay scales was earlier referred to the Ministry of Finance in August, 1996. It was noted that the Ministry of I & B had already referred the matter to the Fifth Pay Commission for their consideration. It was accordingly communicated to the Ministry of I&B that since the matter was being examined by an Expert Body *i.e.* Fifth Pay Commission, their recommendations may be awaited. However, the applicants agitated the matter before the CAT, Bangalore Bench and the CAT gave the following directions:

“We consider it appropriate to direct the sixth respondent to take decision as to the higher pay scales to be given to the higher posts, namely, Senior Engineering Assistant and Assistant Engineer with the concurrence of the Ministry of Finance within a period of 3 months.”

2.7. As regards action taken by the Ministry on direction given by the CAT, Bangalore Bench, the Ministry have stated as follows:—

“By the time a reference was received in the Ministry of Finance the recommendations of the Fifth Pay Commission had been submitted to the Government on 30th January, 1997. The Fifth Pay Commission has not recommended higher pay scales for these posts. Ministry of I&B were thus advised to file an affidavit in the CAT, Bangalore Bench indicating that the recommendations of the Fifth Pay Commission are being processed by the Government. Accordingly, I&B filed an affidavit in the CAT, Bangalore Bench explaining that Fifth Pay Commission has not recommended higher pay scale as demanded by the employees and their recommendations are being processed by the Government.”

2.8. Regarding pay scales as recommended by Fifth Central Pay Commission for Engineering Assistants in AIR/Doordarshan, the Ministry have stated as follows:—

“The Fifth Central Pay Commission have, however, recommended a pay scale of Rs. 1600-2600 for the Engineering Assistants in order to maintain parity between the Sound Recordists and Engineering Assistants. For Sound Recordists also, similar pay scale has been recommended. Further, it has been recommended that Engineering Assistant on promotion as Senior Engineering Assistant may be given the scale of Rs. 1640-2900. Similarly the post of Assistant Engineers is to continue in the scale of Rs. 2000-3500 and replacement scale thereof to be given. However, the existing pay of Engineering Assistant given pursuant to the Court’s order may be fully protected and may be personal to them only. The Fifth Pay Commission is an expert body and has taken into account relevant factor viz. qualification nature of duties and responsibilities etc. while making recommendations.”

2.9 The Ministry have finally stated that:—

“Since the matter is *sub-judice* in the CAT, Bangalore Bench and also the recommendations of the Fifth Central Pay Commission are being processed by the Government a final view cannot be taken at this stage.”

2.10 The matter was placed before the Committee at their sitting held on 7 August, 1997. The Committee observed that as per rule 160(iii) of the Rules of Procedure and Conduct of Business in Lok Sabha the matter which falls within the cognizance of a Court of Law having jurisdiction in any part of India or Court of enquiry or a statutory tribunal or authority or a quasi-judicial body or a Commission are not dealt with by the Committee. Thus the Committee decided to report the matter to the House.

Observations/Recommendations of the Committee

2.11 The Committee note from the reply of the Ministry that CAT, Bangalore Bench had recommended to give higher pay scales to the higher posts, namely, Senior Engineering Assistant and Assistant Engineer with the concurrence of the Ministry of Finance. The Committee also note that by the time a reference was received in the Ministry of Finance the recommendations of the Fifth Pay Commission had been submitted to the Government on 30th January, 1997 and the Commission had not recommended higher pay scales for the posts. Thus, the Ministry of Information and Broadcasting has filed an affidavit in the CAT, Bangalore Bench explaining that Fifth Pay Commission has not recommended higher pay scales as demanded by the employees and their recommendations are being processed by the Government.

2.12. Keeping in view that the matter in *sub-judice* pending trial in CAT, Bangalore Bench, the Committee feel that no intervention on their part is required in the matter as per rule 160(iii) of the Rules of Procedure and Conduct of Business in Lok Sabha which stipulates as under:—

“160(iii) Petition may be presented or submitted to the House with the consent of the Speaker on any matter of general public interest provided that it is not one which falls within the cognizance of a Court or law having jurisdiction in any part of India or a Court of enquiry or a statutory tribunal or authority or quasi-judiciary body, or a Commission.”

III

REPRESENTATION FOR PAYMENT OF REVISED PAY AND ARREARS TO ALL ANGANWADI WORKERS AS PER ORDERS OF DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT

3.1. Shri M. Selvarasu, M.P. sent a representation dated 3 February, 1997 stating that the Ministry of Human Resource Development (Department of Women & Child Development) *vide* their letter No. 12-1/90-CDII dated 29.9.1992 increased that honorarium to the Anganwadi workers and helpers and the pay of helpers was raised from Rs. 110/- to Rs. 200/- p w.e.f. 2.10.92. However, in Nagapattinam, Child Development Project office, the pay revision had not been implemented so far and they were getting Rs. 150/- p.m. He further stated that despite issuance of orders by Tamil Nadu Government, the officials of the Child Development Project Office ignored the State and Central Government orders and refused to pay the revised pay.

Representations were also made by the Tamil Nadu Anganwadi Workers Union to the concerned authorities but there was no response from the officers and the life of this weaker section of the society is further worsened by giving them the lower rate of pay.

3.2. The Hon'ble member, therefore, requested that the pay revised by the Central Government with arrears should be given to all Anganwadi helpers without any delay and action should be taken against the officials for not implementing the Government orders.

3.3. The Ministry of Human Resource Development (Department of Women & Child Development) with whom the matter was taken up furnished their comments on 12 June, 1997 stating *inter-alia* as under:

"The matter was taken up with the Government of Tamil Nadu. They have now informed that Programme Officer, Thanjavur and CDPO, Nagapattinam have been instructed for payment of arrears of honourarium to anganwadi workers and helpers and payment will be made at an early date. The Hon'ble M.P. Shri M. Selvarasu, Nagapattinam Constituency, has been already informed by Government of Tamilnadu in this regard.

3.4. The Ministry of Human Resource Development was again requested to intimate whether the payment had actually been made to all the Anganwadi workers and if so, on what date.

3.5. The Ministry of Human Resource Development (Department of Women & Child Development) have *vide* their communication dated 24.7.97 forwarded a copy of the letter received from the Director, Social Welfare, Chepauk, Chhenai in which it has been stated that the Programme Officer, Thanjavur informed that the arrears payment have been made to Anganwadi Assistants on 2.4.97, 3.4.97, 4.4.97 by Child Development Project Officer of Nagapattinam Project.

3.6 The Committee are satisfied to note that with their intervention, the grievances of a weaker section of the society have been redressed and the matter of payment of revised pay with arrears to Anganwadi workers and helpers which was pending since long, has been fully resolved.

ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATIONS OF THE COMMITTEE ON PETITIONS CONTAINED IN THEIR SIXTH AND FIFTEENTH REPORTS (TENTH LOK SABHA) OF THE PETITION (NO. 13) REGARDING RESETTLEMENT OF MIGRANTS IN DELHI WHO MIGRATED FROM THE ERSTWHILE EAST PAKISTAN DURING 1.1.1964 TO 25.3.1971

4.1 The Committee on Petitions (Tenth Lok Sabha) in their Sixth Report presented to Lok Sabha on 4 May, 1993 had dealt with the petition (No. 13) (signed by Dr. J.C. Roy, President, New Migrants Welfare Association, New Delhi and presented to Lok Sabha by Shri Manoranjan Bhakta, M.P. on 23 March, 1992) regarding resettlement of migrants in Delhi who migrated from the Erswhile East Pakistan during 1.1.1964 to 25.3.1971. The Committee considered the Action Taken Notes received from the Ministry of Home Affairs and presented their Action Taken Report (Fifteenth Report, Tenth Lok Sabha) to the House on 5 August, 1994).

4.2 A copy of the Fifteenth Report (10th Lok Sabha) was forwarded to the Ministry of Home Affairs for furnishing a note on action taken on the recommendations made by the Committee therein.

4.3 The action taken statement has been received from the Ministry of Home Affairs (O.M. No. 1(13)/92-RR dated 11 September, 1977).

Recommendations (Para 2.11 and 2.12)

In their Fifteenth Report, the Committee observed that they did not find any new reason advanced by the Ministry in their submission before the Committee for note agreeing to the Committee's proposal for introduction of housing scheme for the new migrants in Delhi or any other area of the National Capital Region. While recommending to the Government for re-examining the matter afresh and to provide some sort of housing resettlement to new migrants, the Committee had already taken into consideration all the facts and reasons advanced by the Ministry in their earlier factual notes and the evidence tendered before the Committee by the representatives of the Ministry of Home Affairs.

The Committee are, therefore, not satisfied with the action taken reply furnished by the Ministry of Home Affairs and their submission made before the Committee. After taking into consideration all aspects, the Committee reiterate their earlier recommendation that the Government

should re-examine the matter and find out ways and means to help the poor new migrants working in Delhi by providing them some sort of housing resettlement.

4.4 The Ministry of Home Affairs in their reply dated 11 September, 1997 to the Committee have stated as follows:

“As per the policy laid down in respect of new migrants, only those of them who had sought admission to the relief camps set up in a few selected States other than West Bengal, were eligible for rehabilitation assistance. Accordingly, rehabilitation assistance was given only to those who sought relief in refugee camps outside West Bengal. No relief was provided to migrants who did not join refugee camps.

The Objective of the assistance provided to the new migrant families was to enable them to withstand the immediate shock of migration and to be on their own in due course of time. As part of the rehabilitation measure, it was also decided to provide necessary housing facility and/or financial assistance to enable them to acquire houses of their own. Such assistance was considered since most of the migrants were settled in agriculture/ small trade in remote areas where housing was not easily available. Compared to this, it was felt that those who were provided with Government jobs would be able to obtain better housing loan facilities and as such were encouraged to seek housing loan from their organisations.

On closing down of the Mana Transit Camps, the employees of those camps were absorbed in various Government and public offices. Some of them subsequently came to Delhi on posting/ transfer. It was expected that having been provided with a steady job, they would be able to obtain housing loans for construction of residential houses. They were deemed to have been rehabilitated once they were provided with Government jobs.

The contention of the petitioners that their rehabilitation is not complete unless the residential housing is provided to them in Delhi, is not valid. The objective of the scheme was to provide relief and help to enable the refugees to be once again on their own. There was no obligation to provide them accommodation at the place of their choice. There was not such scheme in or around Delhi and it would not be in public interest to approve any housing scheme for the employed category of new migrants in Delhi or in the National Capital Region as this would amount to amending the scheme to the advantage of a select few to the exclusion of many other similarly placed. The cut-off date of 1971 for recognising new

migrants would also be of no avail since the persons, such as ex-employees of Dandakaranya Project, who may also raise similar claims, are all new migrants who entered prior to the cut-off date.

The matter has been reconsidered, but it has not been found possible for the Government to agree to the proposal for introducing a housing scheme for the new migrant families in Delhi or in any other area of the National Capital Region.”

Observations of the Committee

4.5 The Ministry in their reply have stated that those who were provided with Government jobs would be able to obtain better housing loan facilities and as such were encouraged to seek housing loan from their organisations. The plea of the Government that once they were provided with Government jobs, they were deemed to have been rehabilitated is quite acceptable.

4.6 The Committee hope that those migrants who were not provided jobs in Government/public offices might have been provided financial assistance or necessary housing facilities as a part of rehabilitation measures and they, by now, might have stood on their own legs.

4.7 The Committee feel that after such a long time *i.e* after a period of about 26 to 33 years of their migration, most of the refugees might have been rehabilitated either on their own or with the help of Government assistance and joined the mainstream.

The Committee feel that the matter does not warrant further consideration.

ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS MADE BY THE COMMITTEE ON PETITIONS (TENTH LOK SABHA) IN THEIR TWENTY SIXTH REPORT ON REPRESENTATION REGARDING ACUTE PROBLEM OF SEWERAGE IN MAYUR VIHAR-II (PKT. A) DELHI DUE TO DISPUTE BETWEEN DDA AND MCD

5.1 The Committee on Petitions (Tenth Lok Sabha) in their Twenty Sixth Report presented to Lok Sabha on 7th March, 1996 dealt with the representation regarding acute problem of sewerage in Mayur Vihar TT (Pkt. A). Delhi, due to dispute between DDA and MCD.

5.2 Action taken notes have been received from the Government in respect of recommendations contained in the Report. The recommendations made by the Committee and the replies thereto furnished by the Government are given in Appendix-III.

5.3 The Committee will now deal with the action taken by the Government on their recommendations.

Recommendation (Para No. 3.23)

5.4 The Committee failed to understand as to why some other temporary alternative arrangement was not made before blocking the sewage for construction of screening chamber and thereby causing inconvenience to the residents. The Committee hope that adequate steps would be taken by the Government much in advance in future to avoid such problems.

Reply of the Government

5.5 D.D.A has informed that the Committee's directions to make some temporary arrangements before blocking any sewereline for undertaking construction activity on the sewerage system have been noted for future guidance. A copy of their circular dated 6.5.96 to all Chief engineers is enclosed at Annexure-I.

The sewage pump house has been taken over by MCD from DDA in the month of November'95 and the said pumping set is functioning properly and regularly. M.C.D. has reported that now there is no problem regarding sewage disposal in Pocket 'A', Mayur Vihar-II.

Recommendation (Para No. 3.26 and 3.27)

5.6 The Ministry of Urban Affairs and Employment during oral evidence before the Committee on 16.11.1995, had explained that the reasons for

the sewer problem was the delay in the execution of certain sewer line works by the DDA, which in turn was caused due to some encroachments on the site. The other reason was stated to be that the pumping station was not working and basically it was the lack of coordination between the two departments viz. DDA and MCD.

The Committee were concerned to note that due to lack of coordination between the two departments viz. DDA and MCD who are basically involved in setting up a colony and providing basic necessary amenities, the residents of a particular area had to suffer. The Committee had desired that the Government should in future ensure provision of all the basic services and infrastructure such as electricity, drinking water, sewer systems etc. before allotment of flats.

Reply of the Government

5.7 M.C.D. has reported that the left over work of completing 520 mt. length of 1600 mm diaperipheral sewer line is being executed by Delhi Water Supply & Sewage Disposal Undertaking (MCD), as a deposit work of DDA. The scheme was prepared by D.W.S. & S.D.U. amounting to Rs. 231.42 lakhs which has been approved by Special Officer, exercising powers of D.W.S. & S.D. Committee on 2.4.96. Tenders have already been invited for the work and opened in March, 1996 in anticipation of the administrative approval. The tender is under scrutiny by the Finance Department. The work is expected to be completed in about 12 months' after the award of the work. D.D.A. has made necessary payments to the M.C.D. on 2.2.1996.

Some temporary structures which were coming in the alignment, have since been got removed from the site. At the site, clear space varing from 46' to 56' is available in 320m. length and in the remaining length of 200m. there is no hindrance/encroachment. The D.W.S. & S.D.U. can thus execute/take up the work of providing missing links of peripheral line at the site without any hindrance in the available road width.

D.D.A. has already issued explicit administrative instructions *vide* circular No. 440 dated 9.12.94 (Annexure-II) directing therein that possession letter shall only be issued when it is certified by the Zonal Chief Engineer that all the service *i.e.* water supply. SW drain/sewerage are available.

Recommendation (Para 3.29)

5.8 The Committee have noted with satisfaction that with their intervention, the Government have acted promptly and the two organisations have arrived at an agreement to construct the peripheral sewer line which should have been done much earlier.

The Committee trust that the concerned Departments will now take appropriate steps without further loss of time to construct the left out work of 520 meters of peripheral sewer line and desired that the proposed work

be taken up on priority basis. The Committee would like to be apprised of the action taken in the matter within three months.

Reply of the Government

5.9 As already stated that some temporary structures, which were coming in the alignment and were causing hindrance, have since been got removed from the site. At the site, clear space varying from 46' to 56' is available in 320 m. length and in the remaining length of 200 m. there is no hindrance/encroachment. The left out work of completing 520 mt. length of 1600 mm diaperipheral sewer line is being executed by Delhi Water Supply & Sewage Disposal Undertaking amounting to Rs. 231.42 lakhs which has been approved by the Sepecial Officer exercising the powers of D.W.S. & S.D. Committee on 2.4.96. Tenders have already been invited for the work and opened in March '96 in anticipation of the administrative approval. The tender case is under scrutiny by the Finance Department and the work is expected to be completed in about 12 months after the award of the work.

Recommendation (Para 3.30)

5.10 The Committee are unhappy to note from the information furnished by the Ministry that there are 8 more DDA colonies in Delhi where sewer problems exist. The Committee hope that vigorous and adequate steps would be taken by the Government to sort out the problems pertaining to sewerage works in development of various DDA colonies and all activities relating to sewerage would be completed according to a time bound programmme.

Reply of the Government

5.11 The Delhi Development Authority has informed that so far as Mayur Vihar Phase-I is concerned, the sewerage system was affected on account of missing link in a length of about 280 mtr. at Chilla and that the missing link has been completed in March, 1996. Further, DDA has informed that MCD has been requested to make the line operational, as MCD has to handle the discharge in their Kalyanpur Pumping Station. In respect of Patparganj Group Housing Complex, DDA has clarified that the sewerage system is affected on account of non-completion of 520 mtr. gap in peripheral sewer line of 1600 mm. dia at Kalyanpuri. The work on this missing gap is being executed by the MCD as a deposit work on behalf of DDA and that the execution of this work has also been confirmed by MCD.

In so far as resettlement colony/Nand Nagari is concerned, there is a missing link in peripheral line near village Jagatpuri behind G.T.B. Hospital, 95 per cent of the work has been completed and the remaining 5 per cent work is held up on account of land dispute. The land is under stay order from the Hon'ble High Court of Delhi and to seek relief, a general petition has been filed in the Hon'ble Supreme Court and although

the hearing has been concluded, the judgement is yet to be pronounced. DDA has informed that in case the land is released in near future by the Hon'ble Court, the work is likely to be completed in March '97 depending upon the time when the decision is given by the Hon'ble Court.

Observations/Recommendations of the Committee

5.12. The Committee have considered the replies furnished by the Ministry of Urban Affairs and Employment and are satisfied to note that DDA have issued circular to all the Chief Engineers to make some temporary arrangements before blocking any sewerline for undertaking construction activity on the sewerage system.

5.13 The Committee are happy to note that their recommendation to make provision of all the basic services and infrastructure such as electricity, drinking water, sewer system etc. before allotment of flats have been accepted.

5.14 The Committee note with satisfaction that the steps taken by the Ministry of Urban Affairs and Employment for completing the left out work of 520 mt. length of 1600 mm dia peripheral sewer line is being executed by Delhi Water Supply and Sewage Disposal Undertaking (MCD) as a deposit work of DDA. The Committee stress that the same may be completed at the earliest.

5.15 The Committee are happy to note that their recommendation to sort out the problems pertaining to sewerage work in development of various DDA colonies and all activities relating to sewerage would be completed according to a time bound programme has been accepted for necessary action. The Committee trust that sincere and sustained efforts will be made by the Ministry to complete these works expeditiously in the interest of the general public.

NEW DELHI;
3 November, 1997 .

12 Kartika, 1919 (Saka)

DILEEP SANGHANI,
Chairman,
Committee on Petitions.

APPENDIX I
(See Para 1.1 of the Report)
LOK SABHA
PETITION NO. 2
[Presented to Lok Sabha on 6-9-1996]

To

Lok Sabha,
New Delhi

The humble petition of the Workers engaged in catering service at Katni Railway Station, Jabalpur Railway Division.

SHEWETH

We, the petitioners have been working for the catering service at Katni Railway Station. Out of us 41 workers are working at Stall No. 1 run by the contractor K.L. Sahni & Co. and 36 workers are working at Stall No. 2 run by the contractor S.K. Sahni and Surender Kumar Sahni. These contractors are engaged for the catering service under Railway Board at Katni Railway Station, Jabalpur Railway Division of Central Railway for the last 50 years. The contractors are not maintaining any record of more than half of the total workers. These workers are not being paid even minimum wages and apart from it they are not getting other facilities like medical, accommodation, etc. also. Rather, the contractor extorts from us an illegal commission amounting to Rs. 60 to Rs. 300 as if we are subcontractors and on our refusal, we are removed from the work without any proper legal action. Apart from our exploitation, we are forced to dupe passengers also. We have also formed the Central Railway Vendors Union, Katni, but due to the connivance of the officers of the Railway administration, the Police administration and the Labour Department, we have not succeeded in our pursuit.

The Railway administration has sanctioned 20 and 15 workers only for the Stall No. 1 and 2 respectively to the contractors whereas the number of trolleys and stalls at the Railway Station itself is almost the same. This number of workers has been sanctioned only for a single shift of eight hours duty and therefore, the contractor on the plea of the sanctioned strength sometimes deploys us and sometimes not.

Now 50 trains run through this station instead of 20 which ran in the past and the number of platforms has been increased now from 3 to 6. We have also got registered the Railway Vendors Kaamgar, Karigar Sahakari Samiti and have made a demand to the Railway Administration that the contract should be given to the Sahkari Samiti instead of the private contractors. But the Railway Administration is not interested in changing

its 50 years old practice and the contractors and the officials are making fast bucks through us. We, poor people have written to the Railway Administration, the Distt. Administration and the Railway Minister, etc. several times, but no action has been taken in this regard, so far. Since we are poor, we are unable to bear expenses of the Courts. So we have no option but to submit this petition.

We, therefore, request that the catering contract should be given to Sahkari Samiti instead of private contractors so that we are saved from exploitation.

And your petitioners as in duty bound will ever pray.

Sl. No.	Name of the Petitioner	Address	Signature or Thumb impression
1.	Shri Debidin Gupta	Kharhani Railway crossing Mast Ram Akhara.	Sd/-
2.	Shri Ram Naresh Singh	Hira Ganj, Katni	Sd/-
3.	Shri Ram Bahadur Singh	Kharhani crossing, Katni	Railway Sd/-
4.	Shri Chandra Dev Singh	Hira Ganj, Katni	Sd/-
5.	Shri Satyendra Singh and others	Hira Ganj, Katni	Sd/-

Countersigned by Shri Sharad Yadav, M.P.

APPENDIX II
(See Para 2.1 of the Report)

LOK SABHA
PETITION NO. 5
[Presented to Lok Sabha on 16 May, 1997]

To

Lok Sabha
New Delhi

The humble petition of Shri P.N. Kohli, President, Association of Radio & Television Engineering Employees, Post Box 422, New Delhi and others.

SHEWETH

1. The pay scale of Engineering Assistant of AIR/Doordarshan in the Min. of I&B was upgraded from Rs. 1400-2600 to Rs. 2000-3200 w.c.f. 1.1.86 by judicial order of CAT, Madras Bench and Supreme Court of India.
2. The pay scale of Sr. Engineering Assistant (Rs.1640-2900) and Assistant Engineer (Rs. 2000-3500), being promotional posts for Engg. Assistant, was agreed to be revised to Rs. 2375-3500 and Rs.2375-3750 respectively in view of revision of pay scale of feeder cadre of Engg. Assistant and a proposal in this regard is lying in the Min. of Finance for decision. A direction from CAT, Bangalore Bench has also come to decide for higher pay scales for the cadres of Sr. Engg. Asstt. and Asstt. Engineer.
3. The pay scale of Engg. Assistant has now been downgraded from existing Rs. 2000-3200 to Rs. 1600-2600 by the V-CPC. It has also recommended for continuance of existing pay scales for Sr. Engg. Asstt. (Rs. 1640-2900) and Asstt. Engineer (Rs. 2000-3500).
4. The Pay Commission has recommended that the *pay* (instead of *pay scale*) of existing Engg. Assistants drawing pay in the scale of Rs. 2000-3200 shall be protected and be personal to them. This implied that the pay of existing Engg. Asstts. in the scale of Rs. 2000-3200 shall be fixed in the replacement scale Rs. 5000-8000 of 1600-2660 instead of corresponding replacement scale 6500-10500 of Rs. 2000-3200. This ruling is going to result into a large number of stagnation in Engg. Asstt/Sr. Engg. Asst, cadres right from the date of implementation of V-CPC report.
5. It is also worth mentioning that the Engineering Assistant of AIR/Doordarshan have always been considered above the 'Junior

Engineer' cadre and given higher pay scale by every previous Pay Commissions due to their multifarious functioning of engineering, artistic, aesthetic jobs, arduous nature of duties, difficult working conditions in remotest places, frequent transferability etc.

And accordingly, your petitioner pray that:—

1. Engineering Assistant should be given, at least, corresponding replacement scale of Rs. 6500-10500 of the existing scale of Rs. 2000-3200 prospectively.
2. Sr. Engg. Assistant and Assistant Engineer, being promotional posts for Engg. Assistant, be given higher pay scale above the scale of Rs. 6500-10500.
3. The *pay scale* (instead of *pay* of existing Engg. Assistant should be protected as recommended by the V-CPC in other cases of downgradation of pay scales in varoius ministries. In such cases, the Pay Commission has very emphatically recommended that the *pay scale* of existing incumbents shall be protected and they will be allowed to retain corresponding replacement scale of the existing scale. And, the new scale on downgradation shall be applicable to future appointees only.
- and your petitioner(s) as in duty bound will ever pray.

	Name of the Petitioner	Address	Signature
1.	Shri P.N. Kohli, President	Association of Radio & Television Engineering Employees, Post Box 422, New Delhi.	Sd/-
2.	Shri R. Das Gupta	-do-	Sd/-
3.	Shri Ram Shanker	-do-	Sd/-
4.	Shri Kuldeep Bhan	-do-	Sd/-

Countersigned by Shri K.P. Singh Deo, M.P.
Division No. 282

APPENDIX III
(See Para 5.2 of the Report)

REPLIES FURNISHED BY THE GOVERNMENT ON THE RECOMMENDATIONS MADE BY THE COMMITTEE ON PETITIONS IN THEIR TWENTY SIXTH REPORT (TENTH LOK SABHA) ON REPRESENTATION REGARDING ACUTE PROBLEM OF SEWERAGE IN MAYUR VIHAR-II (POCKET A), DELHI DUE TO DISPUTE BETWEEN DDA AND MCD

**Observations/Recommendations
(Paras 3.22 and 3.23)**

The Committee have perused the material placed before them by the petitioners, the Ministry of Urban Affairs and Employment as also the views expressed in person by the representatives of the Ministry, the DDA and the Municipal Corporation of Delhi. The Committee are informed by the petitioners that due to some problem in pump house at Pocket 'C', Mayur Vihar-II, DDA had constructed a screening chamber for which they blocked the sewerage water with sand bags as a temporary measures. After completion of the work the bags were not removed and with the result the sewerage line was blocked for whole of the pocket 'A' of Mayur Vihar-II causing acute problem for the residents.

The Committee fail to understand as to why some other temporary alternative arrangement was not made before blocking the sewerage water and thereby causing inconvenience to the residents. The Committee hope that adequate steps would be taken by the Government much in advance in future to avoid such problems.

Reply of the Government

DDA has informed that the Committee's directions to make some temporary arrangements before blocking any sewer line for undertaking construction activity on the sewerage system have been noted for future guidance. A copy of their circular dated 6.5.96 to all Chief Engineers is enclosed at Annexure-I.

The Sewage pump house has been taken over by MCD from DDA in the month of November '95 and the said pumping set is functioning properly and regularly. M.C.D. has reported that now there is no problem regarding sewage disposal in Pocket 'A', Mayur Vihar-II.

Observations/Recommendations (Paras 3.24, 3.25, 3.26 & 3.27)

The Committee note from the factual comments dated 13.9.1995 furnished by the Ministry of Urban Affairs and Employment that there is

encroachment along the alignment of the proposed peripheral sewer line which is to be removed by MCD and the matter has been taken up with MCD to remove the encroachment.

The Committee have been informed by the MCD in this regard that the sewerage problems was very acute in Pocket 'A' particularly with the manhole situated between flat No.119A and 117A due to not operating of pumps by the DDA. This problems is due to improper functioning of pump house maintained by DDA. They requested that the DDA may be asked to increase the capacity of the pump house.

However, during evidence before the Committee the Ministry informed that now the problem has been sorted out and MCD has taken over the pumping station located in Pocket 'C' a few days ago.

The Ministry of Urban Affairs and Employment during oral evidence before the Committee on 16.11.1995, explained that the reasons for the problem was the delay in the execution of certain sewer line works by the DDA, which in turn was caused due to some encroachments on the site. The other reason was stated to be that the pumping station was not working and basically it was the lack of coordination between the two departments *viz.* DDA and MCD.

The Committee are concerned to note that due to lack of coordination between the two departments *viz.* DDA and MCD who are basically involved in setting up a colony and providing basic necessary amenities, the residents of a particular area had to suffer. The Committee desire that the Government should in future ensure provision of all the basic services and infrastructure such as electricity, drinking water, sewer systems etc. before allotment of flats.

Reply of the Government

MCD has reported that the left out work of completing 520 mt. length of 1600 mm dia peripheral sewer line is being executed by Delhi Water Supply and Sewage Disposal Undertaking (MCD), as a deposit work of DDA. The Scheme was prepared by D.W.S. and S.D.U. amounting to Rs. 231.42 lakhs which has been approved by Special Officer, exercising powers of D.S.W. and S.D. Committee on 2.4.96. Tenders have already been invited for the work and opened in March, 1996 in anticipation of the administrative approval. The tender case is under scrutiny by the Finance Department. The work is expected to be completed in about 12 months' time after the award of the Work. DDA has made necessary payments to the MCD on 2.2.1996.

Some temporary structures which were coming in the alignment, have since been got removed from the site. At the site clear space varying from 46' to 56' is available in 320 m. length and in the remaining length of 200 m. there is no hindrance/encroachment. The D.W.S. and

S.D.U. can thus execute/take up the work of providing missing links of peripheral line at the site without any hindrance in the available road width.

As already stated in para 3.22, the pump house in question has since been taken over by MCD from DDA in the month of November '95 and the same is functioning properly. Now there is no sewage problem in the said area.

As already stated in para 3.24, some temporary structures, which were coming in the alignment and were causing hindrance, have since been got removed from the site. At the site, a clear space varying from 46' to 56' is available in 320m. length and in the remaining length of 200m. there is no hindrance/encroachment. Secondly, the issue relating to functioning of pump house has been sorted out and the same is functioning satisfactorily.

DDA has already issued explicit administrative instructions *vide* circular No. 440 dated 9.12.94 (Annexure-II) directing therein that possession letter shall only be issued when it is certified by the Zonal Chief Engineer that all the services i.e. water supply, SW drain/sewerage are available.

Observations/Recommendations (Para 3.28 and 3.29)

The Ministry informed the Committee that the Peripheral sewer line which is distinct from the Internal system could not be completed by DDA for a portion of 520 metres because of encroachment in the area which was there for the past about 20 years. According to the norms, the DDA Engineers require a working space of 60 feet to complete this sewer. But such a working space was not available for this portion of 520 metres. However, the representative of the Ministry clarified the position during evidence stating that the MCD officers feel that the work can be done at 48-50 feet. The MCD is prepared to do the job for DDA will provide the funds.

The Committee note with satisfaction that with their intervention, the Government have acted promptly and the two organisations have arrived at an agreement to construct the peripheral sewer line which should have been done much earlier.

The Committee trust that the concerned Departments will now take appropriate steps without further loss of time to construct the left out work of 520 metres of peripheral sewer line and desire that the proposed work be taken up on priority basis. The Committee would like to be apprised of the action taken in the matter within three months.

Reply of the Government

As already stated in para 3.24, some temporary structures, which were coming in the alignment and were causing hindrance, have since been got removed from the site. At the site, clear space varying from 46' to 56' is available in 320 m. length and in the remaining length of 200m. length there is no hindrance/encroachment. The left out work of completing

520 mt. length of 1600 mm dia peripheral sewer line is being executed by Delhi Water Supply and Sewage Disposal Undertaking (MCD) as a deposit work of DDA. The scheme was prepared by Delhi Water Supply and Sewage Disposal Undertaking amounting to Rs. 231.42 lakhs which has been approved by the Special Officer exercising the powers of D.W.S. and S.D. Committee on 2.4.96. Tenders have already been invited for the work and opened in March '96 in anticipation of the administrative approval. The tender case is under scrutiny by the Finance Department and the work is expected to be completed in about 12 months after the award of the work.

Observation/Recommendation (3.30)

The Committee are unhappy to note from the information furnished by the Ministry that there are 8 more DDA colonies in Delhi where sewer problems exist. The Committee hope that vigorous and adequate steps would be taken by the Government to sort out the problems pertaining to sewerage works in development of various DDA colonies and all activities relating to sewerage would be completed according to a time bound programme.

Reply of the Government

The Delhi Development Authority has informed that so far as Mayur Vihar Phase-I is concerned, the sewerage system was affected on account of missing link in a length of about 280 Mtrs. at Chilla and that the missing link has been completed in March, 1996. Further, DDA has informed that MCD has been requested to make the line operational, as MCD has to handle the discharge in their Kalyanpuri Pumping Station. In respect of Patparganj Group Housing Complex, DDA has clarified that the sewerage system is affected on account of non-completion of 520 Mtr. gap in peripheral sewer line of 1600 mm dia at Kalyanpuri. The Work on this missing gap is being executed by the MCD as a deposit work on behalf of DDA and that the execution of this work has also been confirmed by MCD.

In so far as resettlement colony Nand Nagari is concerned, there is a missing link in peripheral line near village Jagatpuri behind G.T.B. Hospital, 95 per cent of the work has been completed and the remaining 5 per cent work is held up on account of land dispute. The land is under stay order from the Hon'ble High Court of Delhi and to seek relief, a general petition has been filed in the Hon'ble Supreme Court and although the hearing has been concluded, the judgement is yet to be pronounced. DDA has informed that in case the land is released in near future by the Hon'ble Court, the work is likely to be completed in March '97 depending upon the time when the decision is given by the Hon'ble Court.

ANNEXURE I
of the Appendix III
DELHI DEVELOPMENT AUTHORITY
(EM'S OFFICE)

NO. EM. 1 (10) 96/6397

Dated: 3.5.96

CIRCULAR NO. 492

SUB: *To make temporary alternative arrangement for facilitation unconstructed flow of running sewer line before blocking the same for undertaking any construction activity on the sewerage system.*

The Parliamentary Committee on Petitions (10th Lok Sabha) in its 26th report presented to the Lok Sabha on 7.3.96, had observed that:

“Due to some problem in pump house at Pocket C, Mayur Vihar-II, DDA had constructed a screening chamber for which they blocked the sewerage water with sand bags as a temporary measure. After completion of the work the bags were not removed and with the result the sewerage line was blocked for whole of the pocket-A of Mayur Vihar-II causing acute problem for the residents.

The Committee fail to understand as to why some other temporary alternative arrangement was not made before blocking the sewerage water and thereby causing inconvenience to the residents”.

In view of the above, it is enjoined soon all Field Engineers to make alternative arrangements where ever required before temporarily blocking so as to eliminate chances of any inconvenience to the residents and to ensure that the temporary blockage is always immediately removed after the construction activity on the running line has been completed.

This issues with the approval of the Engineer Member.

Sd/-
(GURBUX SINGH)
DIRECTOR (WORKS)
DDA

1. All CEs i/c CE(QC) & CE (Elect.), DDA
2. All SEs i/c SE (QC), SE (Elect.), DDA
3. Director (MM), Director (Hort.) North & South, DDA.
4. All EEs (Civil), (Elect.), (QC) & EE (P)s, DDA.
5. E.O.-I to III to EM, DDA.
6. EM, 3 (33) 77/Vol. 40/Pt.

ANNEXURE II
of the Appendix III

DELHI DEVELOPMENT AUTHORITY (EM'S OFFICE)
No. EM. 1(10)/94/Vol. I/16138 Dated: 9

Dated: 9.12.94

CIRCULAR NO. 440

SUB: Issue of possession letters by Housing Branch only after ascertaining the availability of services from the concerned

As a policy decision, Housing Branch has to issue possession letters only after receipt of certificate regarding availability of all the services from the Chief Engineers concerned. Regarding availability of services, while submitting the casting details, the complete position has to be indicated by the Chief Engineer concerned in the proforma already devised in consultation with Housing Branch. No possession letter has to be issued without availability of all the services or on the basis of tentative date of availability of services indicated by Zonal Chief Engineer.

During the recent past, it has been observed that possession letters had been issued by Housing Branch without ascertaining the availability of services from the Chief Engineer concerned. This has brought a lot of criticism to DDA when the possession of houses could not be handed over to some allottees for non-availability of certain basic services.

To avoid the avoidable criticism, it has, therefore, been decided that Housing Branch will issue possession letters only after ascertaining the position of availability of all the services from concerned Chief Engineers only.

This issues with the approval of vice-chairman, DDA.

Sd/-
(R.L. HANS)
ENGINEER MEMBER

1. Commissioner (Housing)
2. All Chief Engineers i/c CE (Elect.)
3. All S.E.'s i/c S.E.'s (Elect.)
4. Directors (Housing)-I & II
5. All Ex.-Engineers (Civil)/(Elect.)

Copy to:—

1. Vice-Chairman for his kind information.
2. Finance Member.
3. Director (Works)
4. E.O.-I, II & III.
5. A.O. (Plan).
6. In file No. EM. 3(125)/89.
7. Guard File

Sd/-

ENGINEER MEMBER
D.D.A.